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REMARKS

Claims 2-7, 11, 14, 16-22, 26, 29, and 33 are pending in the present application. Claims 1, 8-10, 12-13, 15, 23-25, 27-28, and 30-32 are canceled; and claims 2-7, 11, 14, 16, 26, and 29 are amended. Independent claims 14, 16, and 29 are amended to include the allowable subject matter of independent claim 33. Dependent claims 2-7 and 11 are amended to depend from allowable independent claim 33. Dependent claim 26 is amended to depend from independent claim 16. As suggested by Examiner Zhen, claim 29 is amended to replace the phrase "computer readable medium" with the phrase "tangible computer readable medium." Reconsideration of the claims is respectfully requested.

I. Allowable Subject Matter

The Office Action states that claim 33 is allowed. Applicants wish to thank Examiner Zhen for the allowable subject matter. Additionally, claims 14, 16, and 29 are amended to contain the same subject matter as claim 33. Therefore, Applicants respectfully submit that claims 14, 16, and 29 are now in condition for allowance. Claims 2-7 and 11 are amended to change their dependency to allowable claim 33. Claim 26 is amended to depend from independent claim 16. Thus, Applicants respectfully submit that claims 2-7, 11, 17-22, and 26 are also in condition for allowance at least by virtue of their dependency on claims 33 and 16, respectively.

II. 35 U.S.C. § 101

The Office Action rejects claims 16-22, 24-28, and 29-30 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

The Office Action states:

Claims 29 and 30 are not limited to tangible embodiments. In view of Applicant's disclosure, specification page 21, lines 1-10, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., recordable-type media, such as a floppy disk, a hard disk drive, a RAM, CD-ROMs, DVD-ROMs) and intangible embodiments (e.g., wired or wireless communications links using transmission forms, such as, for example,

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radio frequency and light wave transmissions). As such, the claim is not limited to statutory subject matter and is therefore non-statutory. ...

Claims 16-22 and 24-28 are not tangibly embodied in a manner so as to be executable because the only hardware is in an intended use statement. Although the operations defined in these claims may include hardware, the claims are not tangibly embodied because it is the intent of the execution of the system and not the system itself that included such hardware.

Office Action dated June 10, 2005, pages 2-3.

Claims 24-25, 27-28 and 30 are canceled. Claim 29 is amended to replace the phrase "computer readable medium" with "tangible computer readable medium" as suggested by Examiner Zhen. With respect to claims 16-22 and 26, Applicants respectfully submit that the claims recite a "data processing system" and therefore, are tangibly embodied in a manner so as to be executable because a data processing system as described in the specification is hardware. Further, Figure 1 and Figure 2 illustrate a data processing system implemented as a server and a client, respectively, in which the present invention may be implemented. Therefore, Applicants respectfully submit that the rejection of claims 16-22, 24-28, and 29-30 under 35 U.S.C. § 101 has been overcome.

III. 35 U.S.C. § 103, Alleged Obviousness Based on *Quirt* and *Gartner*

The Office Action rejects claims 9, 11-13, 15, 24, 26-28, 30, and 32 under 35 U.S.C. § 103(a) as being allegedly anticipated by *Quirt*, U.S. Patent Number 6,269,378, in view of *Gartner et al.*, U.S. Patent Number 6,438,590, hereinafter referred to as *Gartner*. This rejection is respectfully traversed.

Claims 9, 12-13, 15, 24, 27-28, 30, and 32 are canceled. Dependent claims 11 and 26 are amended to change their dependency to claims 33 and 16, respectively. Therefore, Applicants respectfully submit that claims 11 and 26 are in condition for allowance at least by virtue of their dependency on claims 33 and 16, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 9, 11-13, 15, 24, 26-28 and 30 under 35 U.S.C. § 102(e).

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IV. 35 U.S.C. § 103, Alleged Obviousness Based on *Quirt*, *Gartner*, and *Kukura*

The Office Action rejects claims 1-7, 10, 14, 16-22, 25, 29, and 31 under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Quirt* in view of *Gartner* and further in view of *Kukura et al.*, U.S. Patent Number 6,633,923, hereinafter referred to as *Kukura*. This rejection is respectfully traversed.

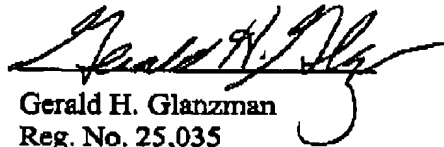
The Office Action states that claim 33 is allowed. Claims 14, 16, and 29 are amended to contain the same subject matter as claim 33. Therefore, Applicants respectfully submit that claims 14, 16, and 29 are now in condition for allowance. Claims 2-7 are amended to change their dependency to allowable claim 33. Thus, Applicants respectfully submit that claims 2-7 and 17-22 are also in condition for allowance at least by virtue of their dependency on claims 33 and 16, respectively. Claims 1, 10, 25, and 31 are canceled. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 10 and 25 under 35 U.S.C. § 103(a).

V. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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